



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

City Commission

Wednesday, May 19, 2021

5:00 PM

City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

ALL VISUAL PRESENTATIONS (POWER POINT ONLY) FOR AGENDA ITEMS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

CALL MEETING TO ORDER - 5:02 P.M.

ROLL CALL

Present 7 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA - The agenda was unanimously approved as amended.

PROCLAMATIONS

1 25th Anniversary of the Community Foundation of the Florida Keys

[Attachments:](#) [Proclamation](#)

Received and Filed

COMMENDATION - Key West High School Varsity Softball Team

PRESENTATIONS

2 Doug Bradshaw, Port and Marina Services Director - 20
Year Service Award

Received and Filed

3 Leah Stockton - United Way

Attachments: [Presentation](#)

Received and Filed

4 Elisa Levy - Update Key West Recovers

Received and Filed

5 Hotwire 5G - Fiber on Duval Street

Attachments: [Presentation](#)

Received and Filed

City Attorney's Report

City Manager's Report

Update on Black Educators Museum

Bahama Village Workshop at Douglass Gym

Update on City Manager's Search

CONSENT AGENDA*

*Item is considered to be routine and enacted by one motion with no separate discussion, unless requested by a Commission Member or citizen, in which event the item will be removed from the order and considered in its normal sequence on the agenda. The City of Key West may take action on any matter during this meeting, including items that are not set forth within this agenda.

MINUTES

6 *May 4, 2021

Attachments: [Minutes](#)

RESOLUTIONS

- 7 *Authorizing Literacy Volunteers of America-Monroe County, Inc. to conduct it's Annual Caribbean Street Fair on Saturday, July 24, 2021 from 10:00 a.m. to 10:00 p.m.; Pursuant to Terms and Conditions set forth by the City Manager; Authorizing the closure of Duval Street between Front and Eaton Streets including Green and Caroline Streets between the hours of 10:00 a.m. to 10:00 p.m.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Application](#)
 [Safety Plan](#)

Passed

Enactment No: Res 21-097

- 8 *Approving the attached 'Lease Agreement' between the City and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the 1.22 Acre parcel commonly known as Rest Beach for a term of 50 years (Lease Number 4855).

Attachments: [Resolution](#)
 [Executive Summary](#)
 [A AID 43339 Lease 4855 OGC signed \(003\)](#)
 [Lease 3496 DMID No. 27207](#)
 [Sublease 3496-01 DMID No. 312253](#)
 [Assignment of Lease 3496 DMID No. 28976](#)

Passed

Enactment No: Res 21-098

- 9 *Approving the attached 'Sovereignty Submerged Lands Lease Renewal' between the City and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for submerged land in conjunction with the upland Key West Aquarium for a term of 5 years (BOT File 440030665); Authorizing the Interim City Manager to execute the lease upon consent of the City Attorney.

Attachments: [Resolution](#)
 [Exec Summary](#)
 [Lease Renewal](#)
 [BOT 440030665 Aquarium 2015. 2020 Prior Lease](#)
 [BOT 440030665 Tropical Shell & Aquarium - Prior Lease](#)

Passed

Enactment No: Res 21-099

- 10 *Approving the Attached "Memorandum of Understanding Between the Monroe County School District (MCSD) and the City of Key West" to Enable the MCSD Fire Academy at the Key West High School and the Key West Fire Department to Provide Fire Fighting Training to Students During the 2021-2022 School Year; Approving any necessary budget adjustments.

Attachments: [Resolution](#)
 [2021-2022 Fire Academy Exec Sum](#)
 [21-22 KWFD- KWHS Fire Academy MOU](#)
 [Certificate \(MCSD\)](#)

Passed

Enactment No: Res 21-100

- 11 *Approving Amendment No. 1 to Task Order 1-20-Engineering for CH2M Hill, Inc. in an amount not to exceed \$59,201.00 for additional services for pavement and right of way improvements to Whitehead, Duval and Front Streets; Authorizing necessary budget adjustments; Authorizing the Interim City Manager to execute any necessary documents upon consent of the City Attorney.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Res 19-366 CH2M Design](#)
 [TO 1-20 Amendment #1](#)

Passed

Enactment No: Res 21-101

- 12 *Approving change order #4 in the amount of \$81,286.35 for additional unforeseen conditions, under the contract awarded to Charley Toppino and Sons, Inc. for Truman Waterfront Park Phase 1B; Authorizing the Interim City Manager to execute necessary documents upon advice and consent of the City Attorney; Authorizing any necessary budget transfer and amendments.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Change Order 1](#)
 [Change Order 2](#)
 [Res 20-070 Change Order 3](#)
 [TWP PH IB Contract Change Order 4](#)
 [Res 19-296 Truman Waterfront CTS approval](#)

Passed

Enactment No: Res 21-102

13

*Approving ranking proposals received in response to RFP #002-21, for Disaster Response Services; Authorizing the negotiation of contracts with the tree top-ranked proposers; Authorizing the Interim City Manager to enter into contracts in substantial conformance with the bid documents; Upon advice of the City Attorney.

Attachments: [Resolution](#)
[Executive Summary Disaster Response Services 002-21](#)
[RFP 002-21 Final](#)
[2021 AshBritt Inc. Response to the City of Key West, FL](#)
[BES-002-21](#)
[DRC](#)
[SDR Proposal - City of Key West, FL 04.09.2021](#)
[Proposal Submittal - TFR](#)
[RFP 002-21 Notice of meeting](#)
[Ranking sheet](#)

Passed

Enactment No: Res 21-103

14

*Approving Amendment No. 1 to All Aspects Inspection Services, LLC for building official services; Authorizing the Interim City Manager to execute any necessary documents upon consent of the City Attorney.

Attachments: [Resolution](#)
[Executive Summary](#)
[AAIS Contract-Amendment 1 draft](#)
[Resolution 21-032 - Plans Review and Inspection Services Agreement](#)
[Resolution 21-010 - Base Agreement](#)
[Building Inspection Services - Final](#)

Passed

Enactment No: Res 21-104

15

*Approving a Task Order to Tetra Tech for remediation of contaminated soil on Florida Keys Auqueduct Authority owned or leased property adjacent to the planned Garden View Apartments in order to complete the DEP required closure of the contaminated site, in a total amount not to exceed \$113, 200.00; Approving any necessary budget adjustments; Authorizing the Interim City Manager to execute any necessary documents upon the consent of the City Attorney.

Attachments:

[Resolution](#)

[Executive Summary](#)

[Tetra Proposal VSR FCAA](#)

[Res 19-332 Tetra Petroleum Remediation](#)

[Res 18-126 Exp Housing on College Rd](#)

[Res 20-39 Tetra Environmental Eng Gen Svcs](#)

Passed

Enactment No: Res 21-105

16

*Ratifying the attached "Addendum to the Memorandum of Understanding between the City of Key West and United Way of Collier and the Keys, Inc." (MOU); Ratifying a final emergency expenditure totaling \$58,561.58 to the United Way of Collier and the Keys (UWCK) for community rental assistance; Ratifying final payment to Florida Keys Area Health Education Center (AHEC) totaling \$90,299.72 for the for COVID-19 Rapid Testing Program pursuant to the MOU, the "Stop-Gap Measure COVID-19 Support Proposal", and pursuant to Section 2-797(2) of the Code of Ordinances; Authorizing any necessary budget transfers and adjustments.

Attachments: [Resolution](#)
 [Executive Summary](#)
 [Resolution 21-017](#)
 [Resolution 21-055](#)
 [Stop-Gap Measure COVID Support Proposal](#)
 [Addendum UWCK \\$37561.58](#)
 [AHEC & CKW MOU](#)
 [UWCK & CKW MOU](#)
 [AHEC Invoice #1845](#)
 [AHEC Invoice #1848](#)
 [UWCK Invoice, Dated Mar 24, 2021](#)
 [UWCK Invoice, Dated Apr 1, 2021](#)

Passed

Enactment No: Res 21-106

Approval of the Consent Agenda

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez to Approve the Consent Agenda. The motion was carried unanimously.

17

Approving the attached "Interlocal Agreement for remediation of pesticide contamination of FKAA owned or leased properties adjacent to former Mosquito Control Site" (ILA) between the Florida Keys Aqueduct Authority (FKAA) and the City of Key West; Authorizing any necessary budget adjustments any transfers.

Attachments: [Resolution](#)
[Executive Summary](#)
[Interlocal Agreement](#)
[Garden CUR Final Apr 2021](#)
[Email from Randy Sterling](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Wardlow, that the Resolution be Passed. The motion carried by the following vote:

Yes: 7 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 21-107

18

Rescinding Resolution 21-088, which approved a "Public Transportation Agreement" (PTGA) FM 444447-1-94-01 between the Florida Department of Transportation (FDOT) and the City of Key West for the Mallory T-Pier Extension/Improvements Project to add fiscal year 2021 funding; Authorizing the Interim City Manager to execute necessary documents upon consent of the City Attorney.

Attachments: [Resolution](#)
[Please Oppose Expansion of Mallory Square Pier](#)
[Mallory Square Pier Expansion Opposition](#)

A motion was made by Vice Mayor Kaufman, seconded by Commissioner Weekley, that the Resolution be Passed. The motion carried by the following vote:

Yes: 7 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

Enactment No: Res 21-108

19

Approving [Reinstating] the attached "Public Transportation Amendment to the Public Transportation Agreement" (PTGA) FM 444447-1-94-01 between the Florida Department of Transportation (FDOT) and the City of Key West for the Mallory T-Pier Extension/Improvements Project to add Fiscal Year 2021 funding of \$521,835.00 with a \$173,945.00 City match (\$695,780.00 total); Approving necessary budget adjustments; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Attachments: [Resolution](#)
[Executive Summary](#)
[Amendment 2](#)
[Resolution 19-129](#)
[Resolution 19-363](#)
[Public Comment - Haskell](#)
[Public Comment - Martini](#)
[Public Comment - Marquardt](#)
[Public Comment - HaskellA](#)
[Public Comment - HaskellA2](#)
[Public Comment - Tenney](#)
[Public Comment - EHaskell](#)
[Pier Replacement and Improvements- per E Haskell](#)

A motion was made by Commissioner Hoover, seconded by Commissioner Wardlow, that the Resolution be Passed.

Immediately thereafter, a motion was made by Vice Mayor Kaufman, seconded by Commissioner Weekley, that the Resolution be Postponed to June 2, 2021. The motion carried by the following vote:

Yes: 7 - Commissioner Davila, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley and Mayor Johnston

ORDINANCES - SECOND READING (PUBLIC HEARING)

20

An Ordinance of the City Of Key West, Florida, amending Chapter 6 of the Code Of Ordinances, Entitled “Amusements and Entertainment” by amending Section 6-116, to amend definitions; By amending Chapter 18 of the Code Of Ordinances, entitled “Businesses” by amending Section 18-354, Section 18-355, Section 18-359, Section 18-381, Section 18-382, Section 18-383, Section 18-384, Section 18-385, to amend the Chapter to conform with Florida Statutes and add additional safety regulations; By amending Chapter 70 of the Code Of Ordinances, entitled “Traffic and Vehicles” by amending Section 70-1, to amend definitions; By amending Chapter 70 of the Code Of Ordinances, entitled “Traffic And Vehicles” by amending Section 70-119, to amend parking in undesignated area; By adding Article IX, entitled “Electric Bicycle, Motorized Scooters and Micromobility Devices” Section 70-901 to 70-902; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Attachments:

[Ordinance](#)

[Executive Summary](#)

[SUGGESTIONS FOR ADDING E-BIKES SAFELY TO OUR STREETS](#)

—

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Ordinance be Postponed to June 2, 2021. The motion passed by unanimous vote.

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT - 8:12 P.M.